

NATIONAL MINORITY TV, INC.

432 N.E. 74th Avenue
Portland, Oregon 97213

June 14, 1991

Donna Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554


RE: WTGI-TV, Wilmington, Delaware/Philadelphia, Pennsylvania
Assignment, BALT-910329AE

Dear Ms. Searcy:

Please accept this letter, and the attachment, as an amendment to National Minority TV, Inc.'s referenced pending assignment application to acquire WTGI-TV from Delaware Valley Broadcasting, Limited Partners, Debtor-in-Possession.

Specifically, NMTV hereby corrects section II, question 4.a. of the assignee's portion of the assignment application by changing the answer from "No" to "Yes." One of NMTV's directors, Rev. Philip R. Aquilar, was convicted of a felony in 1977. A more detailed statement from Rev. Aquilar is attached, however, it is noteworthy that since Rev. Aquilar's conviction, over 14 years ago, he has completely turned his life around and is now engaged in full time christian ministry. He is the pastor of a large and dynamic church in Anaheim, California, Set Free Christian Fellowship, which has as one of its major operational objectives a ministry to drug addicts and individuals with criminal pasts. Indeed, since Rev. Aquilar was released from prison in April 1978 he has led a model life and has been commended by numerous local and state agencies for providing valuable community service.

Sincerely,



Mrs. Jane Duff, Director

00124

STATEMENT FROM REV. PHILIP R. AQUILAR

To: Federal Communications Commission

Philip R. Aquilar hereby states as follows:

1. I am the pastor of Set Free Christian Fellowship which operates a 4,000 member church in Anaheim, California. I founded Set Free Christian Fellowship in 198_ and I dedicated my life to Jesus Christ in 1976 while serving time in the Orange County Jail. In addition to Set Free Christian Fellowship's church facilities in Anaheim, the ministry operates three ranches, one in California, one in Texas, and one in Illinois, used in the rehabilitation and counseling of drug and alcohol abusers and addicts, ex-convicts, and troubled people. Over its 9½ year tenure, Set Free Christian Fellowship has helped literally thousands of people with alcohol and drug problems, and criminal pasts. Indeed, I believe my past has enabled me, with the grace of God, to be more effective in my ministry to hurting and struggling people.

2. Set Free Christian Fellowship has become a dynamic institution in the crime infested and barrio areas of Anaheim. It has an active street ministry where members of the church reach out to people on the street and in the community. Set Free has received literally hundreds of public and civic acknowledgements and commendations. Examples of such commendations are attached to my statement.

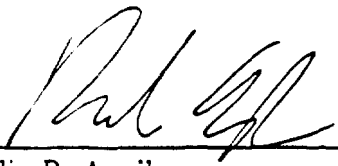
3. In the mid 1970's, 16 years ago, I was a drug abuser and addict. During that lost and terrible time of my life my needs and desires ruled my activities and my will. During that time I did many things of which I am ashamed. Perhaps the lowest point in my life came in 1976 when I was arrested for assaulting the child of my then fiancée, now my wife. This was a violation of section 273(d) (child beating) of the California Penal Code, and on February 25,

1977 I entered a guilty plea and was convicted in Orange County Case No. C-37218. A copy of that action is attached.

4. On March 2, 1977 I was incarcerated in the Chino State Prison. Later, in April of 1977, I was transferred to the Vacaville State Prison, and at both institutions I was regarded as a model prisoner. I was sentenced for no less than one year nor more than ten, and was paroled a little more than a year after I was first incarcerated. I was paroled on April 28, 1978, and my parole ended a year later, on May 7, 1979. Since the events of late 1976 when I was first arrested, I have had no run-ins or incidents with the law, and I have tried my very best to live a decent and God-fearing life, and to reach out to others.

5. I believe in the works of National Minority TV, Inc., and in the importance of providing positive television programming which seeks to strengthen the family, spread the good news of Jesus Christ, provide positive role models and images, and offer a simple teaching of peace and love in Jesus name.

The foregoing statement is made under penalty of perjury this 13th day of June 1991 in Anaheim, California.



Philip R. Aquilar

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ORANGE

Dept. _____

Court convened at _____ M _____ February 25, 1977, present

By _____ JAMES H. WALSHORPE, Judge: Richard J. _____ Deputy Clerk

By _____ Clerk _____ Deputy Sheriff: T. Mullen / E. Pearson, Reporter

and the following proceedings were had:

C-37218 PEOPLE VS AGUILAR, PHILLIP RUSSELL

Hearing re: Pretrial

Defendant in Court with Counsel, L. Freeburg.

People represented by M. Evans, Deputy District Attorney.

Defendant advised of his legal and constitutional rights.

Court finds defendant intelligently waived his legal and constitutional rights and waived arraignment for sentencing.

Defendant's written waiver of legal and constitutional rights on guilty plea received and ordered filed. Court finds factual basis for guilty plea. To the information defendant pleads guilty to Count 1.

Defendant waived application for probation.

Defendant requested immediate sentencing.

No legal cause appearing why Judgment should not now be pronounced, and the defendant having pled guilty to the crime of a Felony, to wit: Violation of Section 273c Penal Code.

Probation denied.

CONTINUED ON PAGE 2

STATUTORY
BOOK USE
ONLY

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ORANGE

Dept. _____

Court convened at _____ 19____, present

Hon. _____ Judge: _____ Deputy Clerk: _____

_____, Deputy Sheriff; _____ Reporter

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It is the Judgment of the Court that defendant be sentenced
to State prison for the term prescribed by law
Pursuant to 1168 Penal Code.

Credit for time served from December 27, 1976.

Defendant remanded to custody of Sheriff and allowed 2 phone calls.

Motion by People to dismiss remaining counts, strike priors,
and allegations. Motion granted.

Case set for trial February 28, 1977.

Date of trial vacated.

The Sheriff is ordered to deliver the Defendant to the custody
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Corrections for Men at Chino, California.

Entered: 3-7-77 pp

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PC-120-2-1-1

MINUTE ORDER

00128

CREATED
O. CA 94243-0001
445-7333

FIN GROVE BLVD
SUITE A
ANAHEIM, CA 92613
537 4477

Assembly California Legislature

CURT PRINGLE

ASSEMBLYMAN, SEVENTY-SECOND DISTRICT

VENUE & TAXATION
LOCAL GOVERNMENT
ELECTIONS, REAPPORTIONMENT
& CONSTITUTIONAL AMENDMENTS
JOINT TOURISM CAUCUS
ASSEMBLY HIGH
TECHNOLOGY CAUCUS
CAUCUS TASK FORCE ON
UNCOMPENSATED CARE
REPUBLICAN FAMILY
TASK FORCE

May 19, 1989

Pastor Phil Aguilar
Set Free Christian Fellowship
537-511 North Anaheim Boulevard
Anaheim, CA 92805

Dear Pastor Aguilar:

I read with interest in the Anaheim Bulletin that you were awarded First Place in the institutional category of the annual Anaheim Beautiful Awards ceremony. My heartiest congratulations on this most deserved honor.

I am pleased that the hard work and pride which you take in maintaining your facilities has been recognized by this prestigious award.

If I can be of any assistance to you in a state-related matter, please do not hesitate to contact me.

Most cordially,


CURT PRINGLE
State Assemblyman

CP:ra

00123



SUPERVISOR, FOURTH DISTRICT
D O N R. R O T H
CHAIRMAN OF THE BOARD OF SUPERVISORS
ORANGE COUNTY HALL OF ADMINISTRATION
10 CIVIC CENTER PLAZA, SANTA ANA, CALIFORNIA 92701-4001
PHONE: (714) 834-3440 FAX: 834-2045

February 5, 1990

Re: Set Free Christian Fellowship
Texas Ranch

To Whom It May Concern:

I have been acquainted with Pastor Phil Aguilar and Set Free Christian Fellowship since the beginning. After Phil Aguilar graduated from Baptist Bible College he choose to help those in need, with housing, food and clothing. He has received the highest awards the City has to offer for his efforts with the community. He has been nominated and served on boards such as Vision 2000, the Community Services Board and others. He has been nominated for Sunday Hero's by one of the largest Southern California T.V. networks.

Because of his great work here in Anaheim with both young and old I highly recommend his work as he reaches out to the Texas area, Chicago and other cities.

Sincerely,

Don R. Roth, Chairman
Board of Supervisors

FRED HUNTER
MAYOR

February 5, 1990

1 IT MAY CONCERN:

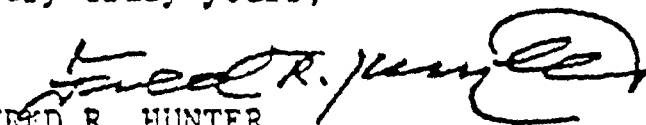
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Because of his great work here in Anaheim, with both young and old, I highly recommend his work as he reaches out to the Texas area, Chicago, and other cities.

Very truly yours,


FRED R. HUNTER
MAYOR, City of Anaheim

H:grs

00131



CITY OF ANAHEIM, CALIFORNIA

Police Department

March 2, 1990

To Whom It May Concern:

REFERENCE: Pastor Phil Aquilar

The work of Pastor Aquilar and his Set Free Fellowship has been ongoing for many years here in Anaheim.

His success in helping people has been validated by many people in both the public and private sector of this community.

I would wish Pastor Aquilar and his Set Free Fellowship continued success in his help to the needy and expansion into other cities.

Sincerely,


JOSEPH T. MOLLOY
CHIEF OF POLICE

JTM:RM:an



CITY OF ANAHEIM, CALIFORNIA

Code Enforcement Services

February 16, 1990

to whom it may concern:

Re: Pastor Phil Aguilar and the Set Free Christian Fellowship

I have had the pleasure of knowing and working with Pastor Phil Aguilar for more years than I can remember.

and his church members have devoted countless hours assisting disabled and elderly citizens in maintaining their properties. He provides clean wholesome shelter for many of the homeless and persons with drug and alcohol addictions in this community.

In my position as Code Enforcement Manager, I have worked closely with Pastor Aguilar and his staff on a variety of issues. Since he is consistently reliable and conscientious, he is truly a pleasure to work with. He can always be counted on to get the job done.

Additionally, he has provided us with a large number of volunteer workers on numerous occasions for graffiti removal and alley clean-up projects. These projects could not have been successfully completed without his assistance.

Overall, I have found that Pastor Aguilar and the Set Free Christian Fellowship continue to be an asset to the community and I feel that much of the fellowship's success is due to Pastor Aguilar's professional approach. We are fortunate to have this organization in this community.

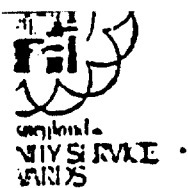
Please feel free to contact me at (714) 999-5158, if you should require additional information concerning Pastor Aguilar and his church.

Sincerely,

W. Poole
Code Enforcement Manager

P/Em

BOG



1989
DISNEYLAND
COMMUNITY SERVICE
AWARDS COMMITTEE

May 22, 1989

Mr. Ochs
Chairman
San Diego Area
Mr. Ayall
Chairman
San Diego Area
Mr. Palmer
Chairman
San Diego Area
Mr. Fernandez
Chairman
San Diego Area
Mr. Hill
Chairman
San Diego Area
Mr. Zaccaro
Chairman
San Diego Area

Pastor Phil Aguilar
Director
Set Free Christian Fellowship
320 N. Anaheim Blvd.
Anaheim, CA 92805

Dear Mr. Aguilar:

Congratulations on the fine work you do in our community and on being selected as an award recipient in the 1989 Disneyland Community Service Awards Program.

We are pleased to enclose a photograph commemorating your selection, as well as a Certificate of Participation in recognition of the outstanding contribution you make toward the betterment of Orange County and its citizens.

We look forward to your participation in next year's program and wish you continued success in the wonderful work you do.

Sincerely,

Mary Anne Mang
Manager, Public Relations

MAM/it

Enclosures

Administrator
of Community
Service Awards
1000 Harbor Boulevard
Anaheim, CA 92803
(714) 922-7272

00134

ATTACHMENT III

00135

JOSEPH E. DUNNE III
COLBY M. MAY

ALSO ADMITTED IN VIRGINIA

MAY & DUNNE
CHARTERED
ATTORNEYS AT LAW
1000 THOMAS JEFFERSON STREET, N.W.
SUITE 520
WASHINGTON D.C. 20007
(202) 298-6345

RICHARD G. GAY
OF COUNSEL

TELECOPIER NO.
(202) 298-6375

June 18, 1991

HAND DELIVER

Keith Larsen, Chief
Low Power Television Branch
Mass Media Bureau
Federal Communications Commission
1919 M Street, N.W., Room 712
Washington, D.C. 20554

RE: National Minority TV, Inc.

Dear Mr. Larsen:

National Minority TV, Inc. ("NMTV") is the licensee of two translator stations: W24BK, Columbus, Ohio; and, K36CJ, Salt Lake City, Utah. NMTV is also the permittee of W57BK, Toledo, Ohio; W66CD, Toledo, Ohio (license application pending); W58BQ, Greenville, South Carolina; and, W52BD, Huntington, West Virginia. NMTV now has pending a number of applications being processed by the LPTV Branch, including major change applications to W57BK, Toledo, Ohio and W52BD, Huntington, West Virginia, and, new applications for Channel 22, Prescott, Arizona, Channel 20, Amarillo, Texas, Channel 41, Corpus Christi, Texas, Channel 45, Charleston, West Virginia, and Channel 26, Wichita Falls, Texas. None of the pending major change or new applications have yet been assigned a file number.

Attached hereto is an amendment filed by NMTV today in conjunction with a pending assignment application for WTGI-TV, Wilmington, Delaware. The attached amendment reports that one of NMTV's directors, Rev. Philip Aguilar, has been convicted of a felony. Full particulars concerning the conviction are included in the amendment and Rev. Aguilar's attached verified statement.

NMTV is providing you with this information because the fact of Rev. Aguilar's felony conviction has not been previously communicated to the Commission, and conviction of a felony is presumptively relevant to an applicant's character. As reported in the amendment, however, NMTV believes that the nature of the misconduct, its remoteness in time, and the substantial evidence of Rev. Aguilar's rehabilitation compel a determination that the conviction does not raise a substantial question concerning NMTV's qualifications.

00136

June 18, 1991
Page 3

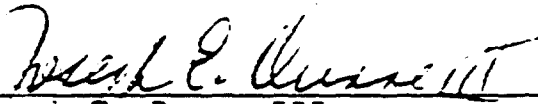
NMTV will provide whatever additional or supplemental information concerning this matter which you may require, and will file a formal amendment to its pending new and major change applications when file numbers for those applications become available.

Should any questions arise concerning this matter, kindly contact this office.

Respectfully submitted,

MAY & DUNNE, CHARTERED

By:



Joseph E. Dunne III
One of National Minority TV,
Inc.'s Attorneys

JED:gmcB47
enclosure
xc: Mrs. Jane Duff

00137

JOSEPH E. DUNNE III
COLBY M. MAY

ALSO ADMITTED IN VIRGINIA

MAY & DUNNE
CHARTERED
ATTORNEYS AT LAW
1000 THOMAS JEFFERSON STREET N.W.
SUITE 520
WASHINGTON, D.C. 20007
(202) 298 6345

RICHARD G. GAY
OF COUNSEL

TELECOPIER NO
(202) 298-6375

June 18, 1991

HAND DELIVER

Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

Attn: Television Branch, Video Services Division, Mass Media
Bureau

RE: Amendment to Application to Assign WTGI-TV, Wilmington,
Delaware (BALT-910329AE)

Dear Ms. Searcy:

Transmitted herewith, in triplicate, on behalf of National Minority
TV, Inc. is an amendment to the assignee's portion of the above-
referenced pending application.

The attached amendment alters NMTV's response to section II,
question 4.a., to report that one of its principals, Rev. Philip R.
Aguilar, was convicted of a felony, i.e., child beating, and served
13 months in prison. Full information concerning the offense and
Rev. Aguilar's sentence is included with the amendment.

NMTV notes that the Commission has recently stated that "...
evidence of any conviction for misconduct constituting a felony
will be relevant to our evaluation of an applicant's or licensee's
character." Policy Regarding Character Qualifications in Broadcast
Licensing, 5 FCC Rcd. 3252, 67 Rad. Reg. 2d (P&F) 1107, 1108 (1990)
(hereinafter "Character Qualifications Policy"). The Commission
also held that "... not all convictions for serious crimes are
equally probative ..." and that "... there are mitigating factors
that must be taken into consideration ..." Id. Among the factors
which the Commission evaluates are: "... the willfulness of the
misconduct, the frequency of the misconduct, the currentness of the
misconduct, the nature of the participation (if any) of managers or
owners, efforts made to remedy the wrong, overall record of
compliance with FCC rules and policies, and rehabilitation." Id.

Rev. Aguilar's verified statement shows that the misconduct (child
beating) was an isolated incident which occurred almost 15 years
ago. The misconduct, while serious, occurred in an intrafamily
context which has limited probative value as a predictive indicia

00138

for Rev. Aquilar's propensity to comply with FCC rules or regulations, or to be truthful with the Commission. In fact, there is little if any nexus between the misconduct for which Rev. Aquilar was convicted and the conduct the Character Qualifications Policy specified as the Commission's primary concern, i.e., "... an applicant's propensity for truthfulness and reliability." Character Qualifications in Broadcast Licensing, 102 F.C.C.2d 1179, 59 Rad. Reg. 2d (P&F) 801, 814 (1986). While the misconduct at issue is certainly reprehensible, it does not involve fraud, untruthfulness, or false or misleading testimony to the Commission or another federal agency, nor is it broadcast related. Cf., Kannapolis Television Co., 1 FCC Rcd. 1037, 61 Rad. Reg. 2d (P&F) 1196 (1986) (fraudulent land conveyances, misrepresentation to the Commission); Las Americas Communications, Inc., 1 FCC Rcd. 786, 61 Rad. Reg. 2d (P&F) 1008 (Rev. Bd. 1986) (failure to pay federal taxes, misrepresentation to the Commission). There simply is not the "substantial relationship between the criminal conviction and the applicant's proclivity to be truthful or comply with the Commission's rules and policies ..." Character Qualifications In Broadcast Licensing, supra, 59 Rad. Reg. 2d (P&F) at 814, required to raise a substantial and material question concerning NMTV's qualifications. Rev. Aquilar has "remedied his wrong" by leading an exemplary life for 13 years after his release from prison, and by his well documented efforts to rehabilitate and counsel alcohol and drug abusers.

Rev. Aquilar's verified statement provides ample evidence of his rehabilitation. Rev. Aquilar has had no brushes with the law since his conviction. The conviction itself is now remote in time, now 14 years old, for conduct occurring almost 15 years ago. Rev. Aquilar has, for the last ten years, provided a needed ministry and community service through his personal efforts and those of his church to alcohol and drug abusers, the homeless, and the troubled. Rev. Aquilar and his Set Free church provide housing for the homeless, counseling for the troubled and those suffering from drug and alcohol addiction, and food and clothing for the needy in a crime and drug infested area of Anaheim, and now in Illinois and Texas as well. This community service, and Rev. Aquilar's contributions to the community, have been recognized by many prominent Anaheim citizens through a number of awards and testimonials, including the "Disneyland Community Service Award." Perhaps the most vivid example of Rev. Aquilar's rehabilitation is the fact that the child whom he was convicted of assaulting is now, and has been for many years, his stepson.

Accordingly, because of the nature of the crime, the lack of a relationship between the crime and either truthfulness or a

propensity to obey the Commission's rules, and, most importantly, the complete conversion of Rev. Aquilar, his obvious rehabilitation, and his record of community service, NMTV believes that Rev. Aquilar's presence on its Board does not create a substantial question concerning its qualifications to be a licensee. Clearly the crime for which he was convicted was less heinous and the evidence of rehabilitation equally as strong as that in Allessandro Broadcasting Co., 99 F.C.C.2d 1, 56 Rad. Reg. 2d (P&F) 1568 (Rev. Bd. 1984) rev den, FCC 84-334 (rel. June 28, 1986), aff'd sub nom, New Radio Corp. v. FCC, 804 F.2d 756 (D.C. Cir., 1986), where the Commission held that an applicant was not disqualified, despite a conviction for second degree murder, because of evidence of rehabilitation and fact that the conviction occurred 14 years earlier.

Should any questions arise concerning this matter, kindly contact this office.

Respectfully submitted,

MAY & DUNNE, CHARTERED

By: Joseph E. Dunne III
Joseph E. Dunne III
One of National Minority TV,
Inc.'s Attorneys

JED:gmcB47

xc: Public File

Alan E. Glasser, Esq.

Mrs. Jane Duff

NATIONAL MINORITY TV, INC.

432 N.E. 74th Avenue
Portland, Oregon 97213

June 14, 1991

Donna Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

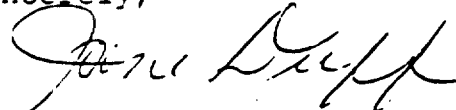
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Mrs. Jane Duff, Director

00141

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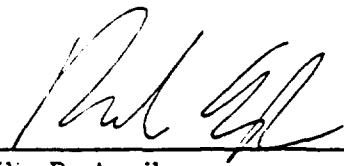
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Philip R. Aquilar

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ORANGE

Court convened at 9:00 A.M. February 25, 1977

By JAMES E. WILSON, Judge: Richard J. Deputy Clerk

Deputy Sheriff: M. V. 1200 / E. P. 1200 Recorder

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Defendant requested immediate sentencing.

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Probation denied.

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ORANGE

Dept. _____

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Entered: 3-7-77 pp

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PC-12-2133

MINUTE ORDER

00145

NGROVE BLVD
ITE A
OVE. CA 92613
137 4477

Assembly California Legislature

CURT PRINGLE
ASSEMBLYMAN, SEVENTY-SECOND DISTRICT

REVENUE & TAXATION
LOCAL GOVERNMENT
ELECTIONS, REAPPORTIONMENT
& CONSTITUTIONAL AMENDMENTS
JOINT TOURISM CAUCUS
ASSEMBLY HIGH
TECHNOLOGY CAUCUS
CAUCUS TASK FORCE ON
UNCOMPENSATED CARE
REPUBLICAN FAMILY
TASK FORCE

May 19, 1989

Pastor Phil Aguilar
Set Free Christian Fellowship
537-511 North Anaheim Boulevard
Anaheim, CA 92835

Dear Pastor Aguilar:

I read with interest in the Anaheim Bulletin that you were awarded First Place in the institutional category of the annual Anaheim Beautiful Awards ceremony. My heartiest congratulations on this most deserved honor.

I am pleased that the hard work and pride which you take in maintaining your facilities has been recognized by this prestigious award.

If I can be of any assistance to you in a state-related matter, please do not hesitate to contact me.

Most cordially,


CURT PRINGLE
State Assemblyman

CP:ra

00146



SUPERVISOR, FOURTH DISTRICT
D O N R. R O T H
CHAIRMAN OF THE BOARD OF SUPERVISORS
ORANGE COUNTY HALL OF ADMINISTRATION
10 CIVIC CENTER PLAZA, SANTA ANA, CALIFORNIA 92701-4001
PHONE (714) 834 3440 FAX: 834 2045

February 5, 1990

Re: Set Free Christian Fellowship
Texas Ranch

To Whom It May Concern:

I have been acquainted with Pastor Phil Aguilar and Set Free Christian Fellowship since the beginning. After Phil Aguilar graduated from Baptist Bible College he choose to help those in need, with housing, food and clothing. He has received the highest awards the City has to offer for his efforts with the community. He has been nominated and served on boards such as Vision 2000, the Community Services Board and others. He has been nominated for Sunday Hero's by one of the largest Southern California T.V. networks.

Because of his great work here in Anaheim with both young and old I highly recommend his work as he reaches out to the Texas area, Chicago and other cities.

Sincerely,

A handwritten signature in dark ink, appearing to read "Don R. Roth", is written over a horizontal line.

Don R. Roth, Chairman
Board of Supervisors



FRED HUNTER
MAYOR

February 5, 1990

TO WHOM IT MAY CONCERN:

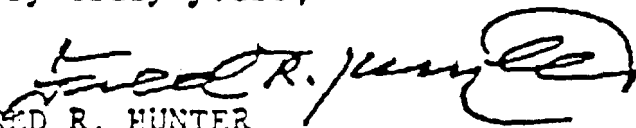
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Because of his great work here in Anaheim, with both young and old, we highly recommend his work as he reaches out to the Texas area, Chicago, and other cities.

Very truly yours,


FRED R. HUNTER
MAYOR, City of Anaheim

H:grs

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